

Remarks

Claims 1-26 are pending in the application, and each was rejected. Based on the following, reconsideration of the rejected claims is requested.

Specification

By this paper, the specification is amended to update the status of the parent application referenced on page 1, line 4 of this application. Subsequent to the filing of this application, the parent application issued into a patent, and the amendment to the specification reflects this status.

Examiner Interview

Applicants thank the Examiner for the telephonic interview conducted on September 2, 2004. During the interview, the rejections to claims 1, 2, 4, 5 and 18-26 were discussed. In particular, Applicants noted that the rejected claims were not exactly the same as the claims in the parent case, which is now U.S. Patent No. 6,736,965. The Examiner agreed that differences between claims 1, 2, 4, 5 and 18-26 of the present application, and the claims of the parent application, necessitated that the basis of the rejections be changed from statutory-type double patenting to nonstatutory obviousness-type double patenting. The Examiner and Applicants agreed that for purposes of this response, it would be assumed that all of the claim rejections were based on nonstatutory obviousness-type double patenting, and as such, a Terminal Disclaimer could be used to overcome each of the rejections. The interview was then concluded.

Continuing Data

The Examiner stated that the specification needed to be updated because of the change in status of the parent application. As noted above, the specification has been changed to reflect the change in status of the parent application.

Double Patenting

The Examiner rejected claims 1, 2, 4, 5 and 18-26 under 35 U.S.C. § 101 as claiming the same invention as claims 1-4, 12, 16-18 and 25-29, respectively, of U.S. Patent No. 6,736,956. As noted above, in the Examiner Interview, the Examiner acknowledged that there were differences between the aforementioned claims, and that the rejection should have been based on nonstatutory obviousness-type double patenting. The Examiner also rejected claims 3 and 6-17 under the doctrine of obviousness-type double patenting as being unpatentable over claims 5, 12-18 and 25-29, respectively, of U.S. Patent No. 6,736,956.

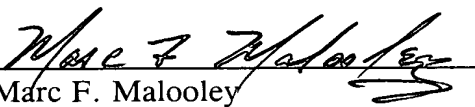
Filed with this paper is a Terminal Disclaimer under 37 C.F.R. § 1.321(c). Because each of the claim rejections is based on obviousness-type double patenting, it is believed that the Terminal Disclaimer overcomes each of the claim rejections. Accordingly, allowance of each of the pending claims is requested.

Reasons For Allowance

Because there are differences between the claims of the present application and the claims of the parent application (U.S. Patent No. 6,736,965), Applicants respectfully request that the Examiner review the reasons for allowance, and make any necessary corrections.

Respectfully submitted,

Jason M. Cousineau et al.

By 
Marc F. Malooley
Reg. No. 50,624
Attorney/Agent for Applicant

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BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400; Fax: 248-358-3351